

PERMIT NUMBER

7985ME1628

Dear Customer,

Our goal is to provide the best service possible to our customers. Please take a few minutes to complete this questionnaire. Your comments will enable us to see how we are doing overall and any areas which may need improvement.

**PLEASE TELL US HOW WE'RE DOING**



INSIDE THE OFFICE	EXCELLENT	VERY GOOD	GOOD	POOR
Staff courteous and helpful				
Staff quick and efficient				
Explanations and instructions clear				
<b>TELEPHONE ANSWERING</b>				
Timely response				
Receiving information or answers				
<b>INSPECTION</b>				
Inspector courteous and helpful				
Pre-construction meeting set and held in a timely manner				
Inspector at job site frequently				
Inspector able to answer questions and deal with problems				
<b>OVERALL PERFORMANCE</b>				
What would you say is our overall performance?				
Is there a staff person you would like to commend?	STAFF'S NAME			

COMMENTS:

NAME (Optional)

BUSINESS PHONE NUMBER

( )

DATE

PLEASE RETURN TO:

DEPARTMENT OF TRANSPORTATION  
DISTRICT 7  
120 S SPRING STREET  
LOS ANGELES CA 90012  
ATTN: DISTRICT PERMIT ENGINEER

## ENCROACHMENT PERMIT

TR-0120 (NEW 9/91)

Permit No.

798-6MC-1628

Dist/Co/Rte/PM

7-LA-405-13.83

In compliance with (check one):

☒ Your application of **June 23, 1998, recv'd June 26, 1998**

\_\_\_\_ Utility Notice No. \_\_\_\_ of \_\_\_\_

\_\_\_\_ Agreement No. \_\_\_\_ of \_\_\_\_

\_\_\_\_ R/W Contract No. \_\_\_\_ of \_\_\_\_

Date

September 11, 1998

Fee Paid

\$ 2100

Deposit

\$

Performance Bond Amount (1)

\$ 80,000

Payment Bond Amount (2)

\$ 80,000

Bond Company

Federal Insurance Company

Bond Number (1)

8150-49-40

Bond Number (2)

TO:

Boeing Realty Corporation  
4060 Lakewood Boulevard, 6th Floor  
Long Beach, Ca. 90808-1700

ATTN: Mario Stavale  
PHONE: (562) 627-3014

CHARGE TO E.A.

, PERMITTEE

and subject to the General Provisions and the following, PERMISSION IS HEREBY GRANTED to: Encroach within State Highway Right-of-Way for the purpose of installing a traffic signal for the southbound off ramp of the San Diego Freeway to Normandie Avenue, in the City of Los Angeles (7-LA-405-13.83); all in accordance with current State Specifications, the attached Special Provisions, and Stamped Plans dated September 11, 1998.

PERMITTEE SHALL NOTIFY PERMIT INSPECTOR BY CALLING **W. Marin at (213) 620-2030** BETWEEN 0700 AND 0900 A MINIMUM OF THREE WORKING DAYS PRIOR TO THE INITIAL START OF WORK AND ONE WORKING DAY PRIOR TO CLOSING TRAFFIC LANES.

PERMITTEE SHALL ARRANGE A PRE-CONSTRUCTION MEETING WITH THEIR CONTRACTORS AND THE PERMIT INSPECTOR TO INSURE A COMPLETE UNDERSTANDING OF THE WORK AND PERMIT REQUIREMENTS.

BY ACCEPTANCE OF THIS PERMIT, THE PERMITTEE UNDERSTANDS AND AGREES TO REIMBURSE THE STATE FOR ANY AND ALL COSTS INCURRED FOR HAVING CORRECTIVE WORK PERFORMED BY STATE FORCES OR UNDER CONTRACT IN THE EVENT THAT THE PERMITTEE, HIS CONTRACTOR OR SUBCONTRACTOR FAIL TO INSTALL, REPLACE, REPAIR, RESTORE, OR REMOVE FACILITIES TO STATE SPECIFICATIONS FOR THE IMMEDIATE SAFE OPERATION OF THE HIGHWAY AND SATISFACTORY COMPLETION OF ALL PERMIT WORK. IT IS UNDERSTOOD THAT THE ABOVE CHARGES ARE IN ADDITION TO ANY PERMIT FEES AND THAT THE PERMITTEE WILL BE BILLED FOR SAID CHARGES AFTER SATISFACTORY COMPLETION OF ALL WORK.

The following attachments are also included as part of this permit.

(Check applicable):

☒ Yes \_\_\_\_\_ General Provisions  
☒ Yes \_\_\_\_\_ No Utility Maintenance Provisions  
☒ Yes \_\_\_\_\_ No Special Provisions A, C, H, & Q  
 \_\_\_\_\_ Yes ☒ No A Cal-OSHA permit required prior to beginning work;

In addition to fee the permittee will be billed actual costs for:

☒ Yes \_\_\_\_\_ No Review  
☒ Yes \_\_\_\_\_ No Inspection  
☒ Yes \_\_\_\_\_ No Field Work

(If any Caltrans effort expended)

\_\_\_\_\_ Yes ☒ No The information in the environmental documentation has been reviewed and considered prior to approval of this permit.

This permit is void unless the work is completed before **December 31, 1999**.

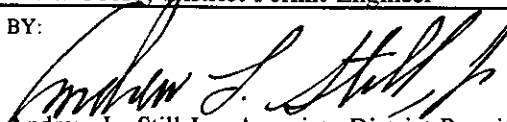
This permit is to be strictly construed and no other work other than specifically mentioned is hereby authorized. No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

South Region  
Torrance  
Marin (Electrical Inspector)  
Tokuyama (Civil Inspector)

APPROVED:

H.M. Obeso, District Permit Engineer

BY:

  
Andrew L. Still Jr., Associate District Permit Engineer

Boeing Realty Corporation

798-6MC-1628

1. Care shall be exercised at all times to protect existing State facilities. Any damage resulting from work of this permit shall be repaired immediately by Permittee to the satisfaction of the State Permit Inspector at no cost to the State.
2. Any and all work performed on this permit shall be subject to the authority and approval of the State Permit Inspector.
3. Orange vest and hard hat shall be worn at all times while working within the State right-of-way.
4. No work shall begin on this permit until a complete understanding has been reached with the State Permit Inspector regarding the work and all aspects of traffic control.
5. Traffic control shall be provided and maintained by Permittee in accordance with State Standards and is subject to the approval of the State Permit Inspector.
6. All striping, pavement markings and markers obliterated by the work or this permit shall be replaced in kind or better as directed by the State Permit Inspector at no cost to the State.
7. The left-turn lane may be closed from 0900 to 1500 hours during weekdays only.
8. No work that interferes with public traffic shall be performed between the hours of 0600 and 0900 and after 1500 unless otherwise approved by the State Inspector.
9. THE PERMITEE SHALL FURNISH THE NECESSARY INSPECTION TO PROVIDE FOR PUBLIC SAFETY AND TO INSURE THAT ALL WORK WITHIN OR AFFECTING THE STATE RIGHT-OF-WAY PURSUANT TO THIS PERMIT SHALL BE PERFORMED IN ACCORDANCE WITH STATE STANDARDS AND REQUIREMENTS. THE WORK AUTHORIZED UNDER THIS PERMIT WILL BE MONITORED BY AND SUBJECT TO THE APPROVAL OF THE STATE PERMIT INSPECTOR.
10. Existing traffic signal, lighting, electrical systems, and underground installations (shown on contract plans or not) damaged by the Contractor's operations shall be replaced or restored in kind or better at the Permittee's expense.
11. A pre-construction meeting 72 hours prior to start of work is required to discuss traffic control and work schedule for this permit with the State Permit Inspector.

Boeing Realty Corporation

798-6MC-1628

12. The Permittee shall provide the State with a "Performance Bond" and a "Payment Bond" for each in the amount of \$80,000.

The Permittee's contractor will be required to reimburse the State for the cost incurred for engineering inspection of the work within the State highway right-of-way and all other permit related field work performed by Caltrans Maintenance Forces, when necessary.

The Permittee's contractor is required to have the signed original permit and Double Permit or copies of both with all Special Provisions and plans stamped CALTRANS PERMIT PLANS dated September 11, 1998, at all times on the work site while work is being conducted.

13. A minimum of two days prior to the start of any excavation authorized by this permit, Permittee shall notify UNDERGROUND SERVICE ALERT at 1-800-422-4133.
14. Pedestrian traffic shall be provided for and protected at all times.
15. All equipment supplied to the worksite shall be new.
16. Electrical conduits shall be rigid metal only.
17. Electrical conduits shall not be less than 1-1/2" in inside diameter. If trenching is allowed, the backfill for the conduits shall consist either of red sand or a red dye added to the mixture.
18. All traffic loop detector installations shall have a minimum 3-1/2" cover. All loops shall be round. A maximum of two loops shall be allowed for all lead-in sawcuts. Type 2 wire with hot melt installation shall be used.
19. All Type 170 traffic signal controllers shall be furnished with a Type 400 modem.
20. All controller cabinet installations shall provide a minimum of two (2) 3-in diameter galvanized steel conduits, placed through the controller foundation and extending into the nearest No. 6 pull box.
21. All service cabinets shall be supplied with a Type 5 photo-electric control for illuminated signs (if any) and safety lights. There shall be supplied a 50-amp breaker for traffic signals, 30-amp breaker for lighting, and 15-amp breaker for illuminated street name signs (if any).

Boeing Realty Corporation

798-6MC-1628

22. ALL MATERIALS SHALL BE STATE INSPECTED AND TAGGED BEFORE DELIVERY TO THE JOB-SITE.
23. Interconnect cable is not to be spliced, it shall be continuous from one controller location to another.
24. The face of poles shall not be placed closer than two feet (2) from any curb face (this includes street light poles).
25. Modification to existing Traffic Signal System which involves replacement of poles and/or mast arms, shall require new signal vehicle heads, pedestrian heads, and signal standards.
26. All Standards (Poles-Mast Arms-Luminaries- Signal Heads) near or in a proximity of any high-voltage lines shall meet CAL/OSHA's Electrical Safety Orders (High Voltage) Article 86, Table 2 indicating minimum clearances for various high voltages.
27. All pedestrian push buttons shall be no more than five (5) feet from the crosswalk.
28. No pull boxes shall be installed within any wheel chair ramp area.
29. Adjustments in the plans as directed by the State Inspector, due to field conditions, shall not be considered a change in the work. Any changes constituting a change of intent of the final construction will be resubmitted to the Permit Office for review.
30. There shall be three (3) days notification of any shutdown or turn-on of any traffic signal system. There shall be no shutdowns or turn-ons on any Friday or any day before a holiday.
31. There shall be no official turn-on of any traffic signal until all equipment is properly installed. All problems with shorts or open circuit will have been already resolved. All loop detection systems will be operating as specified by the State Electrical Inspector or the State Electrical Operations Engineer.
32. No turn on of a new traffic signal or the new turn on of a modified traffic signal shall be made until all construction barricades are removed, all mechanical fittings are finished, and all holes are refilled.

Boeing Realty Corporation

798-6MC-1628

33. The Contractor shall provide the State Electrical Permit Inspector with a mylar or equivalent copy of the as-built plan(s) prior to the completion of this permit.
34. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AND THE DEPARTMENT OF TRANSPORTATION ENCROACHMENT PERMIT UTILITY PROVISIONS DATED DECEMBER 1994.

-----  
THE ATTACHED DISTRICT STANDARD SPECIAL PROVISIONS ARE GENERALIZATIONS OF THE DEPARTMENT STANDARD SPECIFICATIONS AND ARE INCLUDED ONLY AS A PERMITTEE CONVENIENCE. PERMITTEE'S ATTENTION IS DIRECTED TO THE CURRENT DEPARTMENT STANDARD SPECIFICATIONS FOR COMPLETE, UNABRIDGED, SPECIFICATION REQUIREMENTS.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**STANDARD ENCROACHMENT PERMIT APPLICATION**  
 TR-0100 (REV. 11/94)

Permission is requested to encroach on the State Highway Right of Way as follows: (Complete all items: NA if not applicable) Application is not complete until all required attachments are included.						FOR CALTRANS USE		
1. LOCATION: CITY Los Angeles		2. COUNTY Los Angeles		3. ROUTE 405		PERMIT NO. <b>798-6MC-1628</b>		
4. POST MILE 1383		5. APPLICATION DATE 6/21/98		6. ADDRESS OR STREET NAME 190th Street		DIST/CO/RTE/PM <b>07-LA-405-13.83</b>		
7. CROSS STREET (Distance and direction from site) 500' west of Normandie Avenue						SIMPLEX STAMP <b>981628</b>		
8. PORTION OF RIGHT OF WAY I-405 southbound off-ramp						DATE OF SIMPLEX STAMP <b>07 07 M C</b>		
9. WORK TO BE PERFORMED BY <input type="checkbox"/> OWN FORCES <input checked="" type="checkbox"/> CONTRACTOR			10. EST. START DATE 7/1/98		11. EST. COMPLETION DATE 11/30/98		12. EST. COST IN STATE R/W \$3,000	
EXCAVATION trenching		13. MAX. DEPTH 3'		14. AVG. DEPTH 2.5'		15. AVG. WIDTH 4"		
16. LENGTH 20'		17. SURFACE TYPE Dirt		18. TYPE Conduit		19. DIAMETER 2"		
20. VOLTAGE/PRESSURE 120V		21. PRODUCT Signal						

22. FULLY DESCRIBE WORK WITHIN STATE R/W (additional space on reverse side if needed): Attach complete plans (minimum 5 sets folded 21.6 centimeter X 28 centimeter (8.5" X 11")) specs. calcs. Maps, etc., if applicable.

As part of a roadway widening and intersection signalization project, signal equipment, including detector loops and a signal standard, will be installed within the state right-of-way. When completed, the signal will be maintained by the City of Los Angeles.

*SOUTH REGION/TORRANCE  
 WILLIE MARIN, ELEC. INSP  
 TOKUYAMA, CIVIL INSP*

YOUR OWN REFERENCE NO. n/a

Has any other Caltrans Department reviewed your plans? ☐ Yes ☒ No

23. Is any work being done on applicant's property? ☒ YES ☐ NO (If "YES", briefly describe in Section #22, and attached site and grading plans.)

24. Is a city, county, or other public agency involved in the environmental approval?

☒ YES (Check documentation type and attach approved copy) ☐ EXEMPT ☐ N.D. ☒ EIR

**RECEIVED  
 JUN 26 1998**

24a.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS  | <input type="checkbox"/> CONSTRUCTION/MODIFICATION OF SIGNALS OR ANY OTHER TRAFFIC CONTROL SYSTEMS AND DEVICES, INCLUDING ADDITION OF NEW ELEMENTS | <input type="checkbox"/> CONSTRUCTION, RECONSTRUCTION, MAINTENANCE OR RESURFACING OF A DRIVEWAY OR REAL APPROACH                            |
| <input type="checkbox"/> DITCH PAVING  | <input type="checkbox"/> PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS   | <input type="checkbox"/> ADDITION OR REPLACEMENT OF ROADWAY DEVICES OR MARKINGS (GLARE SCREEN, BARRIERE, LIGHTING, STRIPING, MARKERS, ETC.) |
| <input type="checkbox"/> FENCE   |  | <input type="checkbox"/> MOVIE, TV FILMING AND SURVEY   |
| <input type="checkbox"/> MAILBOX   |  | <input type="checkbox"/> EROSION CONTROL  |
| <input type="checkbox"/> SIDEWALKS/GUTTERS   |  |   |
| <input type="checkbox"/> REPAIR/MAINTENANCE OF EXISTING HIGHWAYS   |  |   |
| <input type="checkbox"/> NONE OF THE ABOVE (if project cannot be described in the above categories, request application Part "B" from the Permit Office) |  |   |

24b. Does this project cause a substantial change in the significance of a historical resource? ☐ YES ☒ NO (If "YES", request application Part "B" from the Permit Office)

24c. Is the project on an existing highway or street where the activity involves removal of a scenic resource including a stand of trees, a rock outcropping or a historic building? ☐ YES ☒ NO (If "YES", request application Part "B" from the Permit Office)

*The undersigned agrees and understands that a permit can be denied or a bond required for non-payment of prior or present permit fees, that the work will be done in accordance with Caltrans rules and regulations subject to inspection and approval, and that permit fees may still be due when an application is withdrawn or denied.*

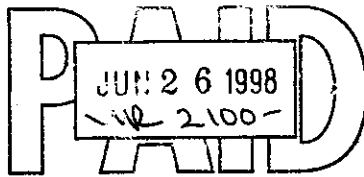
25. ORGANIZATION OR APPLICANT NAME (Print or Type) Boeing Realty Corporation		26. BUSINESS PHONE (562) 627-3014	
27. ARCHITECT, ENGINEER OR PROJECT MANAGER NAME (Print or Type) George Rhyner, Crain & Associates		28. BUSINESS PHONE (310) 473-6508	
29. APPLICANTS ADDRESS (Include City and Zip Code) 4060 Lakewood Blvd., 6th Floor, Long Beach, California 90808-1700			
30. AUTHORIZED SIGNATURE <i>Mario Stavale</i>		31. PRINT OR TYPE NAME Mario Stavale	
32. TITLE Project Manager		33. DATE June 23, 1998	



**STANDARD ENCROACHMENT PERMIT APPLICATION**  
TR-0100 A (REV. 11/94)

22. Description of work (continue)

DEPT. OF TRANSPORTATION



RECEIVED

JUN 26 1998

Permits Branch

ck# 607

**FEE CALCULATION - FOR CALTRANS USE**

☒ CASH/CHECK    ☐ CREDIT CARD    ☐ EXEMPT    ☐ PROJECT EA \_\_\_\_\_  
☐ SET FEE    ☐ AS    ☒ AX    ☐ DEFERRED BILLING (Utility)

CALCULATED BY		<i>(1) Mungie (2. Kefauver)</i>		<i>(2)</i>	
<b>REVIEW</b>	1. FEE/DEPOSIT	DATE	2. FEE/DEPOSIT	DATE	TOTAL FEE/DEPOSIT
1. <u>20</u> HOURS @ \$ <u>70</u> *	\$ <u>1400.00</u>		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *			\$ _____		\$ _____
<b>INSPECTION</b>					
1. <u>10</u> HOURS @ \$ <u>70</u> *	\$ <u>700.00</u>		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *			\$ _____		\$ _____
<b>FIELD WORK</b>					
_____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
<b>CASH DEPOSIT IN LIEU OF BOND</b>	\$ _____		\$ _____		\$ _____
<b>TOTAL COLLECTED</b>	\$ <u>2100.00</u>		\$ _____		\$ _____
<b>CASHIER'S INITIALS</b>	\$ <u>WR</u>		\$ _____		\$ _____

\* The current hourly rate is set annually by Headquarters Accounting. District Office staff do not have authority to modify this rate.

<b>PERFORMANCE BOND</b> <input type="checkbox"/>	DATE	AMOUNT
		\$ _____
<b>PAYMENT BOND</b> <input type="checkbox"/>	DATE	AMOUNT
		\$ _____
<b>LIABILITY INSURANCE REQUIRED?</b> Yes <input type="checkbox"/> No <input type="checkbox"/>		AMOUNT

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION  
ENCROACHMENT PERMIT GENERAL PROVISIONS  
TR-0045 (REV. 11/97)

1. **AUTHORITY:** The Department's authority to issue encroachment permits is provided under, Div. 1, Chpt. 3, Art. 1, Sect. 660 to 734 of the Streets and Highways Code.
2. **REVOCATION:** Encroachment permits are revocable on five days notice unless otherwise stated on the permit and except as provided by law for public corporations, franchise holders, and utilities. These General Provisions and the Encroachment Permit Utility Provisions are subject to modification or abrogation at any time. Permittees' joint use agreements, franchise rights, reserved rights or any other agreements for operating purposes in State highway right of way are exceptions to this revocation.
3. **DENIAL FOR NONPAYMENT OF FEES:** Failure to pay permit fees when due can result in rejection of future applications and denial of permits.
4. **ASSIGNMENT:** No party other than the permittee or permittee's authorized agent is allowed to work under this permit.
5. **ACCEPTANCE OF PROVISIONS:** Permittee understands and agrees to accept these General Provisions and all attachments to this permit, for any work to be performed under this permit.
6. **BEGINNING OF WORK:** The permittee shall notify the Department's representative, two (2) days before the intent to start permitted work. Permittee shall notify the Department's Representative if the work is to be interrupted for a period of five (5) days or more, unless otherwise agreed upon. All work shall be performed on weekdays during regular work hours, excluding holidays, unless otherwise specified in this permit.
7. **STANDARDS OF CONSTRUCTION:** All work performed within highway right of way shall conform to recognized construction standards and current Department Standard Specifications, Department Standard Plans High and Low Risk Facility Specifications, and Utility Special Provisions. Where reference is made to "Contractor and Engineer," these are amended to be read as "Permittee and Department representative."
8. **PLAN CHANGES:** Changes to plans, specifications, and permit provisions are not allowed without prior approval from the State representative.
9. **INSPECTION AND APPROVAL:** All work is subject to monitoring and inspection. Upon completion of work, permittee shall request a final inspection for acceptance and approval by the Department. The local agency permittee shall not give final construction approval to its contractor until final acceptance and approval by the Department is obtained.
10. **PERMIT AT WORKSITE:** Permittee shall keep the permit package or a copy thereof, at the work site and show it upon request to any Department representative or law enforcement officer. If the permit package is not kept and made available at the work site, the work shall be suspended.
11. **CONFLICTING ENCROACHMENTS:** Permittee shall yield start of work to ongoing, prior authorized, work adjacent to or within the limits of the project site. When existing encroachments conflict with new work, the permittee shall bear all cost for rearrangements, (e.g., relocation, alteration, removal, etc.).
12. **PERMITS FROM OTHER AGENCIES:** This permit is invalidated if the permittee has not obtained all permits necessary and required by law, from the Public Utilities Commission of the State of California (PUC), California Occupational Safety and Health Administration (Cal-OSHA), or any other public agency having jurisdiction.
13. **PEDESTRIAN AND BICYCLIST SAFETY:** A safe minimum passageway of 1.21 meter (4') shall be maintained through the work area at existing pedestrian or bicycle facilities. At no time shall pedestrians be diverted onto a portion of the street used for vehicular traffic. At locations where safe alternate passageways cannot be provided, appropriate signs and barricades shall be installed at the limits of construction and in advance of the limits of construction at the nearest crosswalk or intersection to detour pedestrians to facilities across the street.
14. **PUBLIC TRAFFIC CONTROL:** As required by law, the permittee shall provide traffic control protection warning signs, lights, safety devices, etc., and take all other measures necessary for traveling public's safety. Day and night time lane closures shall comply with the Manuals of Traffic Controls, Standard Plans, and Standard Specifications for traffic control systems. These General Provisions are not intended to impose upon the permittee, by third parties, any duty or standard of care, greater than or different from, as required by law.
15. **MINIMUM INTERFERENCE WITH TRAFFIC:** Permittee shall plan and conduct work so as to create the least possible inconvenience to the traveling public; traffic shall not be unreasonably delayed. On conventional highways, permittee shall place properly attired flagger(s) to stop or warn the traveling public in compliance with the Manual of Traffic Controls and Instructions to Flaggers Pamphlet.
16. **STORAGE OF EQUIPMENT AND MATERIALS:** Equipment and material storage in State right of way shall comply with Standard Specifications, Standard Plans, and Special Provisions. Whenever the permittee places an obstacle within 3.63 m (12') feet of the traveled way, the permittee shall place temporary railing (Type K).
17. **CARE OF DRAINAGE:** Permittee shall provide alternate drainage for any work interfering with an existing drainage facility in compliance with the Standard Specifications, Standard Plans and/or as directed by the Department's representative.
18. **RESTORATION AND REPAIRS IN RIGHT OF WAY:** Permittee is responsible for restoration and repair of State highway right of way resulting from permitted work (State Streets and Highways Code, Sections 670 et. seq.).
19. **RIGHT OF WAY CLEAN UP:** Upon completion of work, permittee shall remove and dispose of all scraps, brush, timber, materials, etc. off the right of way. The aesthetics of the highway shall be as it was before work started.
20. **COST OF WORK:** Unless stated in the permit, or a separate written agreement, the permittee shall bear all costs incurred for work within the State right of way and waives all claims for indemnification or contribution from the State.
21. **ACTUAL COST BILLING:** When specified in the permit, the Department will bill the permittee actual costs at the currently set hourly rate for encroachment permits.
22. **AS-BUILT PLANS:** When required, permittee shall submit one (1) set of as-built plans in compliance with Department's requirements. Plans shall be submitted within thirty (30) days after completion and approval of work.  
  
As-Built plans or accompanying correspondence shall not include disclaimer statements of any kind. Such statements shall constitute non-compliance with these provisions. Failure to provide complete and signed As-Built plans shall be cause for bond or deposit retention by the Department.
23. **PERMITS FOR RECORD PURPOSES ONLY:** When work in the right of way is within an area under a Joint Use Agreement (JUA) or a Consent to Common Use Agreement (CCUA), a fee exempt permit is issued to the permittee for the purpose of providing a notice and record of work. The Permittee's prior rights shall be preserved without the intention of creating new or different rights or obligations. "Notice and Record Purposes Only" shall be stamped across the face of the permit.
24. **BONDING:** The permittee shall file bond(s), in advance, in the amount set by the Department. Failure to maintain bond(s) in full force and effect will result in the Department stopping of all work and revoking permit(s). Bonds are not required of public corporations or privately owned utilities, unless permittee failed to comply with the provision and conditions under a prior permit. The surety company is responsible for any latent defects as provided in California Code of Civil Procedures, Section 337.15. Local agency permittee shall comply with requirements established as follows: In recognition that project construction work done on State property will not be directly funded and paid by State, for the purpose of protecting stop notice claimants and the interests of State relative to successful project completion, the local agency permittee agrees to require the construction contractor furnish both a payment and performance bond in the local agency's name with both bonds complying with the requirements set forth in Section 3-1.02 of State's current Standard Specifications before performing any project construction work. The local agency permittee shall defend, indemnify, and hold harmless the State, its officers and employees from all project construction related claims by contractors and all stop notice or mechanic's lien claimants. The local agency also agrees to remedy, in a timely manner and to State's satisfaction, any latent defects occurring as a result of the project construction work.
25. **FUTURE MOVING OF INSTALLATIONS:** Permittee understands and agrees to rearrange a permitted installation upon request by the Department, for State construction, reconstruction, or maintenance work on the highway. The permittee at his sole expense, unless under a prior agreement, JUA, or a CCUA, shall comply with said request.
26. **ARCHAEOLOGICAL/HISTORICAL:** If any archaeological or historical resources are revealed in the work vicinity, the permittee

shall immediately stop work, notify the Department's representative, retain a qualified archaeologist who shall evaluate the site, and make recommendations to the Department representative regarding the continuance of work.

**PREVAILING WAGES:** Work performed by or under a permit may require permittee's contractors and subcontractors to pay appropriate prevailing wages as set by the Department of Industrial Relations. Inquiries or requests for interpretations relative to enforcement of prevailing wage requirements are directed to State of California Department of Industrial Relations, 525 Golden Gate Avenue, San Francisco, California 94102.

**RESPONSIBILITY FOR DAMAGE:** The State of California and all officers and employees thereof, including but not limited to the Director of Transportation and the Deputy Director, shall not be answerable or accountable in any manner for injury to or death of any person, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property from any cause. The permittee shall be responsible for any liability imposed by law and for injuries to or death of any person, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property arising out of work, or other activity permitted and done by the permittee under a permit, or arising out of the failure on the permittee's part to perform his obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity or at any subsequent time, work or other activity is being performed under the obligations provided by and contemplated by the permit.

The permittee shall indemnify and save harmless the State of California, all officers, employees, and State's contractors, thereof, including but not limited to the Director of Transportation and the Deputy Director, from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee and the public, or damage to property resulting from the performance of work or other activity under the permit, or arising out of the failure on the permittee's part to perform his obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity or at any subsequent time, work or other activity is being performed under the obligations provided by and contemplated by the permit, except as otherwise provided by statute.

The duty of the permittee to indemnify and save harmless includes the duties to defend as set forth in Section 2778 of the Civil Code. The permittee waives any and all rights to any type of expressed or implied indemnity against the State, its officers, employees, and State contractors. It is the intent of the parties that the permittee will indemnify and hold harmless the State, its officers, employees, and State's contractors, from any and all claims, suits or actions as set forth above regardless of the existence or degree of fault or negligence, whether active or passive, primary or secondary, on the part of the State, the permittee, persons employed by the permittee, or acting on behalf of the permittee.

For the purpose of this section, "State's contractors" shall include contractors and their subcontractors under contract to the State of California performing work within the limits of this permit.

29. **NO PRECEDENT ESTABLISHED:** This permit is issued with the understanding that it does not establish a precedent.

30. **FEDERAL CIVIL RIGHTS REQUIREMENTS FOR PUBLIC ACCOMMODATION:**

A. The permittee, for himself, his personal representative, successors in interest, and assigns as part of the consideration hereof, does hereby covenant and agree that:

1. No person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
2. That in connection with the construction of any improvements on said lands and the furnishings of services thereon, no discrimination shall be practiced in the selection and retention of first-tier subcontractors in the selection of second-tier subcontractors.
3. That such discrimination shall not be practiced against the public in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation), and operation on, over, or under the space of the right of way.
4. That the permittee shall use the premises in compliance with all other requirements imposed pursuant to Title 15, Code of Federal Regulations, Commerce and Foreign Trade, Subtitle A. Office of the Secretary of Commerce, Part 8 (15 C.F.R. Part 8) and as said Regulations may be amended.

B. That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the permit and to re-enter and repossess said land and the land and the facilities thereon, and hold the same as if said permit had never been made or issued.

31. **MAINTENANCE OF HIGHWAYS:** The permittee agrees, by acceptance of a permit, to properly maintain any encroachment. This assurance requires the permittee to provide inspection and repair any damage, at permittee's expense, to State facilities resulting from the encroachment.

32. **SPECIAL EVENTS:** In accordance with subdivision (a) of Streets and Highways Code Section 682.5, the Department of Transportation shall not be responsible for the conduct or operation of the permitted activity, and the applicant agrees to defend, indemnify, and hold harmless the State and the city or county against any and all claims arising out of any activity for which the permit is issued.

Permittee understands and agrees that it will comply with the obligations of Titles II and III of the Americans with Disabilities Act of 1990 in the conduct of the event, and further agrees to indemnify and save harmless the State of California, all officers and employees thereof, including but not limited to the Director of Transportation, from any claims or liability arising out of or by virtue of said Act.

33. **PRIVATE USE OF RIGHT OF WAY:** Highway right of way shall not be used for private purposes without compensation to the State. The gifting of public property use and therefore public funds is prohibited under the California Constitution, Article 16.

34. **FIELD WORK REIMBURSEMENT:** Permittee shall reimburse State for field work performed on permittee's behalf to correct or remedy hazards or damaged facilities, or clear debris not attended to by the permittee.

Any public utility or public corporation who lawfully maintains a utility encroachment, or their agent may perform routine or emergency maintenance on such facility in accordance with the following provisions (unless updated at some future time, thence the future provisions shall govern.

**UM1.EXCLUSIONS :**

These provisions do not authorize tree trimming, work on freeways, expressways, or other activities not specifically provided for in this permit.

**UM2. POSSESSION OF PERMIT REQUIRED :**

The permit or a copy thereof shall be kept at the site of the work and must be shown to any representative of the Department or any law enforcement officer on demand.  
**WORK SHALL BE SUSPENDED IF PERMIT IS NOT AT JOB SITE AS PROVIDED.**

**UM3. NOTICE REQUIRED :**

Before starting work, the permittee shall notify the Department's representative. In emergencies, the Department's representative shall be notified as soon as possible.

**UM4. STANDARD OF WORK :**

All work shall conform to recognized standards of utility construction and the Department's current Standard Specifications.

**UM5. EMERGENCY REPAIRS :**

The permittee may make emergency repairs, altering traffic flow, excavating through improved surfaces, only when breaks in the conduit, cable or pipeline over or under the pavement present a definite public hazard or serious interruption of essential service. In such cases, the Department's representative shall be notified immediately.

**UM6. OPEN EXCAVATIONS :**

No excavation shall be left open after daylight hours, unless specifically authorized and adequate protection for traffic is provided in accordance with the General Provisions "Protection of Traffic".

Backfill and pavement replacement shall be performed in accordance with the applicable General Provisions (i.e., "Restoration and Repairs in Rights of Way").

**UM7. SERVICE CONNECTION :**

These provisions do not authorize installation of conduit, cable, gas, or water serviced connections within State Rights of Way, regardless of the location of the main, existing conduit or cable. All new underground or pipe abandon services must be covered by individual permits. See Section "OH 4" regarding service connections for aerial wires.

**UM8. ROUTINE INSPECTION AND MAINTENANCE :**

1. Routine Maintenance and Inspection : On the roadbed shall be conducted between 9:00 a.m. and 3:00 p.m. , or as otherwise authorized in writing by the Department's representative.

2. Manholes : The permittee may open existing manholes to repair underground cables. Where the manhole lies within the improved surface of the highway, the permittee will provide adequate protection for traffic in accordance with the General Provisions "Public Traffic Control".

- 3 Excavations : For routine inspection and repair of pipeline and cables shall :

- A. Not be made in improved surfaces, landscaped areas or closer than 3.04 meter (10') to the edge of the pavement without a special permit; and
- B. Not uncover more than 15.24 meter (50') of line at any one time.

4. Pole Lines : Permittee is authorized to :

- A. Stub, or reset existing pole, provided no change in location of pole or anchor is made. Stubs and anchors must not be placed between existing pole and traveled way.
- B. Replace poles, guy poles, and crossarms in same location limited to two (2) consecutive poles. No additional poles or guys poles are authorized under this routine maintenance provision.
- C. Replace broken pins and insulators, repair broken wires, pull slack wires, and replace or pull broken or slack guys.
- D. Repair and complete transfer work on existing aerial cables.
- E. Install new and replace existing transformers on existing poles.
- F. Replace aerial wires and crossarms on existing poles except where wires cross the highway. Unless otherwise specifically required by the Department, protected cable, tree wire or plastic tree wire guard used for communication lines may be used through trees where necessary, provided the appearance of the tree or the tree itself will not be damaged. *This section " F " does not apply to scenic highways.*
- G. Installations and clearances shall be equal to those required by either the California Public Utilities Commission Orders or the California Occupational Safety and Health (CAL-OSHA) Safety Orders, whichever is greater. *Also see "OH 2" of the Overhead Utility Provisions.*
- H. Clear grass from around base of poles and excavate around poles for inspection, including tamping and straightening. The use of herbicides or other chemicals is not authorized by this permit. A separate encroachment permit must be applied for and issued for that purpose.

## UTILITY LEASING

In addition to the attached General Provisions (TR 0045), the following special provision is also applicable:

Leasing all or part of the longitudinal utility encroachment is prohibited. Encroachment includes but is not limited to: utilities, carrier pipes, casings, conduits, poles, etc.

DEPARTMENT OF TRANSPORTATION - DISTRICT 7  
SPECIAL PROVISION "A"  
(attached to all Permits)  
7/96

1. Should there be any discrepancy between the terms of this permit and the plans attached hereto, the State permit inspector will determine which shall prevail.

2. Except for installing, maintaining and removing traffic control devices, whenever work is performed or equipment is operated in the following work areas the permittee shall close the adjacent traffic lane unless otherwise provided in the permit:

Approach speed of public  
traffic (posted limit)  
km/h

Work Areas

Over 70km/h(45mph)

Within 1.8m(6') of a traffic lane.

70km/h(45mph) and Under

Within 0.9m(3') of a traffic lane.

3. Any work authorized by this permit which requires traffic diversion and/or traffic interruption, including sidewalks and bikepaths, shall be approved by the State permit inspector.

4. Unless otherwise authorized by the State permit inspector, the normal working hours of permitted traffic control shall be limited to the hours of 0900 to 1500 Monday through Friday and open for use of public traffic at all other times, including designated legal holidays and when construction is not actively in progress on working days.

Designated legal holidays: January 1, the third Monday in January, the third Monday in February, the last Monday in May, July 4, the first Monday in September, November 11, the fourth Thursday in November and December 25.

5. The permittee shall provide adequate protection of traffic in accordance with the current traffic control requirements of the Caltrans Standard Specifications Section 7-1.08 (Public Convenience), Section 7-1.09 (Public Safety) and Section 12 (Construction Area Traffic Control Devices). Caltrans Manual of Traffic Controls for Construction and Maintenance Work Zones and special provisions of the permit. The condition and location of all traffic control devices shall be approved by the State permit inspector. The signs used for traffic control shall be removed from the right of way when not actually in use.

6. Permittee shall be responsible for notifying their contractor and all subcontractors of the provisions of this permit. The permittee's contractors/subcontractors are required to have the signed original permit or a copy with all special provisions and permit plans, at the jobsite, at all times while work is being conducted.

DEPARTMENT OF TRANSPORTATION - DISTRICT 7

SPECIAL PROVISION "A"

7/96

page 2

7. Caltrans is not a member or subscriber of USA (Underground Service Alert), Caltrans underground facilities are not located by USA. The permittee shall notify the Caltrans electrical permit inspector at (213) 620-2030, at least 72 hours in advance of any excavation within 150m (500') of a signalized intersection or in the vicinity of Caltrans lighting facilities. The permittee and/or permittee's contractor assume the responsibility for the payment of all costs incurred by the State in repairing facilities damaged during construction. Requests for relocation of facilities for the permittee's convenience must be made in writing with the permittee assuming all costs.

8. All conflicting lane lines and pavement markings shall be removed by sandblasting, pellet blasting, grinding or air blasting as approved by the State permit inspector. Traffic tape may be used for the temporary delineation and covering of lane lines/pavement markings as approved by the State permit inspector.

9. A survey "at no cost to the State" of the permittee's property may be required to verify compliance with approved plans.

10. Should work take place between October 15 and April 15, permittee shall obtain a long range clear weather forecast before breaking into a main line storm drain. Construction of facilities connecting into the mainline will be permitted only during a clear weather forecast that is acceptable to the State permit inspector. Once operations are initiated, the work shall be conducted in a continuous manner until completed.

SWPPP(Storm Water Pollution Prevention Plan) may be required on permit projects when work includes grading, excavation or tracking of material. The SWPPP shall also be required when non-storm water is being discharged into a storm drain.

11. Abandoned connector pipes shall be sealed at both ends with 200mm (8") brick and mortar or 150mm (6") thick concrete plug. When facilities are allowed to be abandoned in place, backfilling with sand or other measures, may be required. This is mandatory for all conduits 300mm (12") in diameter or larger.

12. In the event that all work is within the working area of a State highway construction project, no work shall be started until all arrangements have been made with the State contractor and State resident engineer, to avoid any and all conflict or delay to the State contractor.